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Henry C. Burnett And The Secession Movement In Kentucky

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During the secession movement of 1860-61, few men worked harder for a Confederate Kentucky than First District Congressman Henry C. Burnett of Trigg County.¹ From the very beginning, he was a staunch champion of Southern rights.

In the critical presidential election of 1860, Congressman Burnett, a fierce proslavery Democrat, supported Southern Democratic candidate and later Confederate General John C. Breckinridge of Kentucky.² However, Republican Abraham Lincoln was elected, causing South Carolina to secede.

Nonetheless, most Kentuckians, including Breckinridge at first, believed the Union still could be saved. But Burnett disagreed. On January 7, 1861, he wrote his old friend and political ally John C. Noble, editor of the Paducah **Herald**, lamenting: "there is not the slightest hope of any settlement or adjustment of existing troubles. The Republicans have rejected with scorn and ridicule every proposition submitted to them in the Senate and House committees." Then referring to a special session of the Kentucky General Assembly scheduled to convene on January 19, Burnett continued, "I hope one of the first things our Legislature will do, will be to pass a joint resolution strongly denouncing force against the Southern States, either by the present or incoming administration." He also declared that "our Legislature ought to provide at once for the calling of a State Convention, so that the sovereign voice of Kentucky can be heard in this most momentous crisis."³

But the Unionist dominated Kentucky legislature rejected a convention and instead voted to send delegates to a Washington, D.C. peace conference called by the Virginia legislature for February 4.⁴ Burnett, perhaps believing that reconciliation might be possible after all, joined the other Kentucky congressmen in endorsing the conference,⁵ which, however, was a disappointing failure.

By the end of February 1861, Mississippi, Florida, Alabama, Georgia, Louisiana and Texas had seceded and together with South Carolina formed the Confederate States of America. In Congress, the Republicans began preparing for war but Burnett and the other still loyal Southerners opposed them. They tried desperately to stop war related legislation which included bills to raise money for the Federal treasury and to strengthen the army and navy. But for the most part, the Southern congressmen were unsuccessful.⁶

Burnett, in denouncing the navy bill, charged that the army and navy were about "to be used for the purpose of coercion against the portion of States which have recently been in this Confederacy."⁷ Also, he proposed adding an amendment to the army bill stipulating that none of its appropriations "shall be used by the Federal Government in making war, or in any attempt to subject any State which has or may hereafter secede from the United States."⁸ But this was to no avail.⁹

To supplement the regular army, the Republicans drew up legislation authorizing President Lincoln to call out the state militia in "the case of insurrections against the authority of the United States" and to accept and organize volunteer forces.¹⁰ On February 26, Burnett, in a passionate speech on the floor of Congress, characterized this as "tantamount to a declaration of war."¹¹ And after adding that Kentucky "waits with calmness the deliberations of the constituted authorities of the country," he warned: "if you pass these bills . . . I think I may safely promise, in the name of old Kentucky, that she will stand by her guns, and that her sons will be found true to her historic fame, and 'fit for honor's toughest task.'"¹² The Southerners won a small victory here; the militia bills, argued to death, never came to a vote in this session.¹³

Burnett's pro-Southern views did not go unnoticed in the North. An unsympathetic Cincinnati **Commerical** characterized him as "a big, burley, loud-mouthed fellow who is forever raising points of order and objections, to embarrass the Rebulicans in the House." The staunchly Republican paper also charged that if a Unionist wished to speak, he "pops up and 'objects'" but if a Southerner "wants to take up the time of the House or do anything, whatever, out of order, the Hon. H. C. Burnett bellows like a bull in his favor, until the time consumed is about twice as much time as it would have taken to listen to the matter without any fuss."¹⁴

Congress adjourned on March 21⁵ and Burnett returned to his home just outside Cadiz. But he was not away from politics very long.

On April 2, the Kentucky legislature, still holding to its Unionist and conciliatory stance, passed a bill calling for a convention of the border slave states to meet in Frankfort on May 27. An election for Kentucky's twelve delegates was to be held on May 4.¹⁶

The secession party chose Burnett as its nominee for the first district. But on April 12, the Confederates fired on Fort Sumter in Charleston Harbor and the Civil War began. With the outbreak of war, most pro-Southern Kentuckians saw no more need for the border slave state convention. Consequently, in late April, the secession candidates withdrew from the delegate race.¹⁷

Burnett, taking it for granted "that such a Convention will never assemble," announced his withdrawal in the rabidly secessionist Padu-

cah **Herald**. "I hope," he declared, "the people of the State will agree with me that the movement ought to be abandoned, and that our Legislature ought, without delay, to arm the State, call a State Convention, and place Kentucky in a position where she can render effective aid to the Southern States in the aggressive war now being waged against them by the Government at Washington."¹⁸

However, Burnett's words were for naught; the election came off as planned and, to be sure, the Unionists won (they would have defeated the secessionists anyway).¹⁹ The convention met on the twenty-seventh but like the Washington peace conference accomplished nothing. At the same time, the legislature again refused to consider a state convention and passed resolutions establishing Kentucky's neutrality.²⁰ But this meant neutrality within the Union.

To meet the national crisis, President Lincoln asked for 75,000 volunteers and called a special session of Congress to meet on July 4. In Kentucky, election day was set for June 20. This was, of course, a Federal election but the secessionists wanted to use it as a test of strength. To this end, they put up candidates in each of the state's ten congressional districts.

On May 31, Burnett was nominated by first district secessionists at a convention in Mayfield (at this convention the possibility of western Kentucky separating from the rest of the state and forming some sort of alliance with Tennessee was discussed).²¹ In accepting the nomination, the Trigg countian dramatically told the delegates if he went to Washington, "it was his firm determination to arraign the traitor Lincoln at this bar of his country for treason, and if in his endeavors to bring the usurper to justice, he should lose his life, he expected that Kentuckians would avenge his death."²²

Although every other secessionist candidate was soundly defeated, Burnett won handily, polling 8,988 votes to 6,225 votes for Unionist Lawrence Trimble of Paducah. But this was hardly a district-wide mandate; sixty-two per cent of his vote came from just the Jackson Purchase. Outside of the region, he carried only his home county and it by a scant twenty votes.²³

Taking his seat in Congress on July 4,²⁴ Burnett found himself surrounded mostly by uncompromising Union men ready to get on with the war. Still, he was determined to look after Southern rights. He denounced a bill creating a volunteer force to fight the South, explaining: "I do not believe that you can hold this Government together at the point of the bayonet or at the cannon's mouth." But Burnett quickly added that he opposed secession: "I do not believe in it, as a constitutional doctrine," he asserted, "I believe it is the theory of our Government that it rests for its support upon the affections and the consent of the governed."²⁵ Obviously, Burnett was implying that Lincoln's war

policy lacked popular support. But he was wrong and the thousands of eager volunteers daily arriving in Washington from all parts of the North proved it.

Later, Burnett again attacked the volunteer bill. "As one of the Representatives of Kentucky," he began, "I here enter my solemn protest against that State being called upon to furnish one man or being taxed to furnish one dollar of money to carry on this war . . . I will not consent, by any act of mine, that her people, for generations to come, shall be taxed to pay the expenses of this war."²⁶

An August 6,²⁷ Congress adjourned and Burnett left Washington never to return. Arriving home, he found the prospect of Kentucky's secession growing even more remote. On August 5, the Unionists had won an overwhelming majority of seats in the crucial election for a new state legislature.²⁸ Trigg and most of the other first district counties went secessionist²⁹ but this was probably little comfort.

Kentucky's precarious neutrality vanished in September as the Confederates seized Hickman and Columbus and the Federals captured Paducah.³⁰ Soon afterwards, both armies moved into the state in force.

When neutrality ended, thousands of Kentuckians went off to fight in one army or the other. In the fall of 1861, Burnett raised a regiment of Confederate infantry in western Kentucky which mustered into service at Hopkinsville as the Eighth Kentucky. On November 11, he was elected its colonel but never took command.³¹ Die-hard Kentucky secessionists were determined to form a pro-Confederate government for the state and Burnett decided to help.

On October 29-31, he was chairman of a gathering at Russellville which got things started. This meeting, attended by about sixty secessionists from thirty-two counties, condemned the Unionist legislature as unrepresentative of the people and called for a sovereignty convention to meet in Russellville on November 18.³²

On the appointed day, around 200 secessionists from sixty-eight counties showed up.³³ Burnett was president of the convention which, in two busy days, drafted a declaration of independence from the Union and established a provisional Confederate government. Confederate-occupied Bowling Green was designated its capital.³⁴

In addition, the convention sent Burnett and former congressman William E. Simms of Lexington to Richmond, Virginia, as commissioners to the Confederate congress.³⁵ Their mission was to get Kentucky admitted to the Confederacy and they were successful. On December 10, Kentucky became the thirteenth Confederate "state."³⁶ But all this meant practically nothing; the vast majority of Kentuckians were loyal Unionists.

The Federal Congress reconvened on December 2 with Burnett conspicuously absent.³⁷ Many congressmen knew of his part in the Russellville convention and on December 3, W. McKee Dunn, a staunch Indiana Republican, offered a resolution to formally expel him.³⁸ It easily passed³⁹ but Burnett probably did not care; he obviously preferred the Confederate capital.

After seeing Kentucky become a Confederate "state," Burnett went to Tennessee and joined up with the Southern army at Fort Donelson, a strong position on the Cumberland River near the little town of Dover. Nevertheless, on February 16, 1862, Donelson fell to a combined Federal army-navy expedition led by a then unheralded general named Ulysses S. Grant. The Eighth Kentucky was captured along with most of the Confederate garrison but Burnett managed to escape with General John B. Floyd, an old acquaintance from happier days in Washington.⁴⁰

But Burnett's military service ended at Fort Donelson. On February 26, 1862⁴¹ he took his seat in the Confederate Senate and, along with Simms, stayed there for the rest of the war.⁴²

After the war, Burnett, en route to Cadiz, was arrested by Federal authorities in Louisville and charged with treason, but he never stood trial.⁴³

On September 28, 1866, Henry C. Burnett died at the age of forty.⁴⁴ He is buried in the old East Side Cemetery in Cadiz. Surprisingly, Burnett's gravestone does not tell of his service to the Confederacy; even so, he was one of Kentucky's most outstanding Confederates.

1. In 1860-61, the first district included Ballard, Caldwell, Calloway, Crittenden, Fulton, Graves, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, Trigg, Union and Webster counties. Burnett was first elected to Congress in 1855, succeeding the veteran Democrat Linn Boyd.
2. William C. Davis, *Breckinridge: Statesman, Soldier, Symbol* (Baton Rouge: Louisiana State University Press, 1974), p. 218.
3. Paducah *Herald* (n.d.), quoted in the Louisville *Daily Courier*, January 19, 1861, hereafter cited as *Courier*. Both the *Herald* and *Courier* were strongly pro-Confederate.
4. *Journal of the Senate of the Commonwealth of Kentucky*, Session of January 17, 1861, pp. 95-98, hereafter cited as *Senate Journal*, then session; *Journal of the House of Representatives of the Commonwealth of Kentucky*, Session of January 17, 1861, pp. 151-152, hereafter cited as *House Journal*, then session.
5. *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, D.C.: War Department, 1880-1902), Series I, Vol. 52, Part 2, p. 6, hereafter cited as *O. R.*
6. *Congressional Globe*, 36 Cong., 2 Sess., pp. 41-45, 345-51, 450-63, 477, 712-15, 1015-30, 1034-40, 1067-76, 1149-54, 1185-1201.
7. *Ibid.*, p. 346.
8. *Ibid.*, p. 462.
9. *Ibid.*, p. 477.
10. *Ibid.*, pp. 645-46, 1001-1002, Appendix, pp. 304-307.
11. *Ibid.*, Appendix, p. 257.
12. *Ibid.*, p. 261.
13. *Ibid.*, pp. 1001-1002, 1031-33, 1225-32.
14. Cincinnati *Commercial* (n.d.), quoted in the Frankfort *Weekly Kentucky Yeoman*, February 8, 1861, hereafter cited as *Yeoman*.

15. **Congressional Globe**, p. 1433. For an excellent account of the critical second session of the thirty-seventh Congress see Kenneth M. Stampp, **And the War Came: The North and the Secession Crisis, 1860-61**. (Baton Rouge: Louisiana State University Press, 1950).
16. **Senate Journal**, Session of January 17, 1861, pp. 427-28; **House Journal**, Session of January 17, 1861, pp. 467-75.
17. **Courier**, April 25-26, 1861.
18. Paducah **Herald** (n.d.), quoted in the **Courier**, April 23, 1861.
19. Across Kentucky, the Unionist vote (although the secessionists withdrew there was a scattering of secession votes) was almost three-fourths of the total vote cast in the presidential election of 1860. Also, it was 15,000 more than the combined vote of Constitutional Unionist John Bell, who carried the state, and Unionist Northern Democrat Stephen A. Douglas.
However, in the first district, the Unionist vote amounted to only twenty-six per cent of the total vote in the presidential election and about 2,000 less than the Bell and Douglas vote. See the **Courier**, November 26, 1860 and the **Yeoman**, June 14, 1861.
20. **House Journal**, Session of May 6, 1861, pp. 27-30, 91-94; **Senate Journal**, Session of May 6, 1861, pp. 143-45.
21. Louisville **Daily Journal**, June 6, 1861, hereafter cited as **Journal**.
22. **Ibid.**, August 9, 1861.
23. **Ibid.** The Purchase (Ballard, Calloway, Fulton, Graves, Hickman, Marshall and McCracken counties) gave Burnett 5,626 votes to 1,785 votes for Trimble. In Caldwell, Crittenden, Hopkins, Livingston, Lyon, Trigg, Union and Webster counties, Trimble received 4,440 votes and Burnett 3,362 votes.
Congressional Globe, 37 Cong., 1 Sess., p. 2.
24. **Ibid.**, p. 73.
25. **Ibid.**, p. 152.
26. **Ibid.**, p. 459.
27. **Journal**, September 6, 1861.
28. **Courier**, August 13, 16-17, 1861. The Jackson Purchase, Caldwell, Livingston, Lyon, Trigg, Union and Webster counties went secessionist while Crittenden County voted Unionist. Hopkins County elected a secessionist to the senate and a Unionist to the house.
29. See Berry F. Craig, "Northern Conquerors and Southern Deliverers: The Civil War Comes to the Jackson Purchase," **The Register of the Kentucky Historical Society** LXXIII (January 1975), pp. 17-30.
30. J. Tandy Ellis, ed., **Report of the Adjutant General of the State of Kentucky, Confederate Volunteers, War, 1861-1865** (Frankfort: The State Journal Co., 1915), Vol. I, pp. 376-77.
31. **Courier**, November 4, 1861. When Federal troops occupied Louisville in September 1861, the **Courier** moved to Bowling Green where, under the protection of the Confederate army, it resumed publication on October 14.
32. **Journal of the Congress of the Confederate States of America, 1861-1865** (Washington, D.C.: Government Printing Office, 1904), Vol. I, p. 541, hereafter cited as **Journal of Congress**.
33. **Ibid.**, pp. 536-43; [Anonymous], **Resolutions of the [Confederate] Congress [in Kentucky]** (Bowling Green?: n.p., 1861).
34. **Journal of Congress**, p. 541.
35. **Ibid.**, pp. 546-47, 549; **O. R.**, Ser. I, Vol. 52, Pt. 2, p. 240.
36. **Congressional Globe**, 37 Cong., 2 Sess., p. 2.
37. **Ibid.**, p. 7.
38. **Ibid.**, p. 8.
39. Ellis, **Report of the Adjutant General**, pp. 376-77. Floyd, a Virginian, was President James Buchanan's secretary of war from 1857 to 1861.
40. **Journal of Congress**, Vol. 2, p. 23; Ellis, **Report of the Adjutant General**, pp. 376-77. Burnett resigned his commission on February 10, 1862.
41. **Ibid.**, pp. 5, 13.
42. William E. Connelly and E. Merton Coulter, Charles Kerr, ed., **History of Kentucky** (Chicago and New York: The American Historical Society, 1922), Vol. IV, p. 68.
43. **Ibid.**